

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

THE VINE UNITED METHODIST CHURCH AND BOARD OF TRUSTEES OF THE ARLINGTON DISTRICT OF THE VIRGINIA ANNUAL CONFERENCE OF THE UNITED METHODIST CHURCH, SP 2011-PR-108 Appl. under Sect(s). 3-303 of the Zoning Ordinance to permit an existing church to add a nursery school. Located at 2501 Gallows Rd., Dunn Loring, 22027, on approx. 4.24 ac. of land zoned R-3. Providence District. Tax Map 39-4-((1)) 31. Mr. Hammack moved that the Board of Zoning Appeals adopt the following resolution:

WHEREAS, the captioned application has been properly filed in accordance with the requirements of all applicable State and County Codes and with the by-laws of the Fairfax County Board of Zoning Appeals; and

WHEREAS, following proper notice to the public, a public hearing was held by the Board on March 14, 2012; and

WHEREAS, the Board has made the following findings of fact:

1. The applicants are the owners of the property.
2. The staff makes a favorable recommendation with respect to this application.
3. After the pastor's explanation concerning the playground, it is non-impervious.
4. It would be hard to really move it to any other location which would be any better.
5. If it is a non-impervious surface, it should not exacerbate the existing water that collects on the property.
6. There are quite a number of letters in support of the application.
7. The church has been before the Board before.
8. It is a site that is well suited to the enlargement with the addition of a preschool.

AND WHEREAS, the Board of Zoning Appeals has reached the following conclusions of law:

THAT the applicant has presented testimony indicating compliance with the general standards for Special Permit Uses as set forth in Sect. 8-006 and the additional standards for this use as contained in the Zoning Ordinance.

NOW, THEREFORE, BE IT RESOLVED that the subject application is **APPROVED** with the following limitations:

1. This approval is granted to the applicant only, The Vine United Methodist Church and Board of Trustees of the Arlington District of the Virginia Annual Conference of the United Methodist Church, and is not transferable without further action of this Board, and is for the location indicated on the application, 2501 Gallows Road (4.24 acres), and is not transferable to other land.

2. This special permit is granted only for the purposes, structures and/or uses indicated on the plat prepared by Cole & Denny Incorporated, dated October 20, 2011, as revised through November 29, 2011, and approved with this application, as qualified by these development conditions.
3. A copy of this special permit SHALL BE POSTED in a conspicuous place on the property of the use and made available to all departments of the County of Fairfax during the hours of operation of the permitted use.
4. This special permit is subject to the provisions of Article 17, Site Plans. Any plan submitted to the Department of Public Works and Environmental Services (DPWES) pursuant to this special permit shall be in substantial conformance with these conditions. Minor modifications to the approved special permit may be permitted pursuant to Par. 4 of Sect. 8-004 of the Zoning Ordinance.
5. The seating capacity in the main area of worship shall not exceed 260.
6. The total maximum daily enrollment of students in the nursery school shall not exceed 60.
7. The maximum number of employees on site at any one time for the nursery school shall be limited to 12.
8. The maximum hours of operation for the nursery school shall be limited to 8:45 a.m. to 4:00 p.m. (which includes drop off and pick up), Monday through Friday.
9. The ages of the children shall be limited to between 30 months and 5 years.
10. Prior to the issuance of a Non-Residential Use Permit (Non-RUP) for the nursery school, the applicant shall establish a 40 x 80 play area surrounded by a 42" high fence as shown on the special permit plat.
11. Prior to the issuance of a Non-RUP for the nursery school, a pole blocking vehicular access or a permanent gate shall be installed at the entrance on Gallows Road, a minimum distance of 15 to 20 feet from the edge of the roadway.
12. Parking shall be provided as depicted on the special permit plat. All parking shall be on site.
13. All lighting on site shall be in accordance with the Performance Standards contained in Part 9 of Article 14 of the Zoning Ordinance.
14. The barrier requirement shall be waived along all lot lines.


15. The transitional screening requirement shall be modified along all lot lines to permit existing vegetation on site to meet the requirements of Transitional Screening 1 (TS1). All vegetation shall be maintained in good condition, and any dead or dying vegetation shall be replaced as determined necessary by Urban Forest Management Division (UFMD), DPWES.
16. All signs on the property shall be in accordance with the requirements of Article 12 of the Zoning Ordinance.
17. The applicant shall install a minimum of two bicycle racks in a location next to the sidewalk and around the perimeter of the church building.

This approval, contingent on the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

Pursuant to Sect. 8-015 of the Zoning Ordinance, this special permit shall automatically expire, without notice, thirty (30) months after the date of approval unless the use has been established as outlined above. The Board of Zoning Appeals may grant additional time to establish the use if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special permit. The request must specify the amount of additional time requested, the basis for the amount of time requested, and an explanation of why additional time is required.

Mr. Byers seconded the motion, which carried by a vote of 6-0. Ms. Gibb was not present for the vote.

A Copy Teste:


Suzanne Frazier, Deputy Clerk
Board of Zoning Appeals